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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,)
10) CASE NO. MJ 11-128
11 Plaintiff,) D/AK NO. 3:11-CR-23 RRB
12)
13 v.)
14 TERRY M. MALYUREK,)
15) DETENTION ORDER
16 Defendant.)
17)
18)

19 Offense charged: Drug Trafficking Conspiracy

20 Date of Detention Hearing: March 29, 2011

21 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
22 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
23 that no condition or combination of conditions which defendant can meet will reasonably assure
24 the appearance of defendant as required and the safety of other persons and the community.

25 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

26 (1) Defendant is charged by Indictment from the District of Alaska in Case No. 3:11-
27 CR-23 RRB. He was arrested in this District, and does not oppose detention at this time. An

01 Order of Transfer has been signed.

02 (2) Defendant has a lengthy criminal record that includes multiple failures to appear,
03 with bench warrants issued. There is an outstanding warrant from December 2009 in Federal
04 Way, Washington, following a failure to appear in that court. Defendant was not interviewed
05 by Pretrial Services, so most of his background information is not known.

06 (3) Defendant poses a risk of nonappearance due to lack of background information,
07 a history of failing to appear, and an outstanding bench warrant. He poses a risk of danger due
08 to criminal history.

09 (4) There does not appear to be any condition or combination of conditions that will
10 reasonably assure the defendant's appearance at future Court hearings while addressing the
11 danger to other persons or the community.

12 It is therefore ORDERED:

13 (1) Defendant shall be detained pending trial and committed to the custody of the
14 Attorney General for confinement in a correction facility separate, to the extent
15 practicable, from persons awaiting or serving sentences or being held in custody
16 pending appeal;

17 (2) Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;

19 (3) On order of a court of the United States or on request of an attorney for the
20 Government, the person in charge of the corrections facility in which defendant
21 is confined shall deliver the defendant to a United States Marshal for the purpose
22 of an appearance in connection with a court proceeding; and

01 (4) The clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 29th day of March, 2011.

05 
06 Mary Alice Theiler
07 United States Magistrate Judge